

COURT SERVICES

1 Arthur A. Hartinger (SBN: 121521)
ahartinger@meyersnave.com
2 Linda M. Ross (SBN: 133874)
lross@meyersnave.com
3 Jennifer L. Nock (SBN: 160663)
jnock@meyersnave.com
4 Michael C. Hughes (SBN: 215694)
mhughes@meyersnave.com
5 MEYERS, NAVE, RIBACK, SILVER & WILSON
555 12th Street, Suite 1500
6 Oakland, California 94607
Telephone: (510) 808-2000
7 Facsimile: (510) 444-1108

8 Attorneys for Defendant
City of San Jose
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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA

11 COUNTY OF SANTA CLARA

12 SAN JOSE POLICE OFFICERS'
13 ASSOCIATION,

14 Plaintiff,

15 v.

16 CITY OF SAN JOSE, BOARD OF
ADMINISTRATION FOR POLICE AND
FIRE RETIREMENT PLAN OF CITY OF
17 SAN JOSE, and DOES 1-10 inclusive.

18 Defendants,
19

20
21 AND RELATED CROSS-COMPLAINT
22 AND CONSOLIDATED ACTIONS
23

) Case No. 1-12-CV-225926

) [Consolidated with Case Nos. 112CV225928,
112CV226570, 112CV226574, 112CV227864]

) Assigned for all purposes to the Honorable Patricia
M. Lucas

) **[PROPOSED] ORDER FOR JUDGMENT ON
THE PLEADINGS AS TO THE SAN JOSE
POLICE OFFICERS' ASSOCIATION'S
SEVENTH CAUSE OF ACTION FOR
VIOLATION OF THE MEYERS-MILIAS-
BROWN ACT**

Date: January 17, 2013

Time: 9:00 a.m.

Courtroom: 2

Complaint Filed: June 6, 2012

Trial Date: None Set

24 This matter came on regularly for hearing on January 17, 2013 before the Honorable
25 Patricia M. Lucas, Judge of the Superior Court of California, County of Santa Clara. Arthur
26 Hartinger and Linda M. Ross appeared on behalf of the Defendants City of San Jose. Stephen
27 Silver appeared on behalf of the San Jose Retired Employees Association, Howard E. Fleming,
28 Donald S. Macrae, Frances J. Olson, Gary J. Richert and Rosalinda Navarro.

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The Court, having considered all papers filed in support and in opposition, and oral arguments, hereby GRANTS Defendant's motion on the pleadings to dismiss Plaintiffs' Seventh Cause of Action for violation of the Meyers-Milias-Brown Act.

The motion is granted without prejudice.

Dated: _____, 2013

The Honorable Patricia M. Lucas
San Jose Superior Court

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